

# PATENT COOPERATION TREATY

Alston & Bird

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOV 15 2005

To:

ALSTON & BIRD LLP Bank of  
America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
USA

Received By RB

NOTIFICATION OF TRANSMITTAL OF  
THE INTERNATIONAL SEARCH REPORT AND  
THE WRITTEN OPINION OF THE INTERNATIONAL  
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

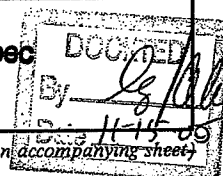
Applicant's or agent's file reference <b>42933/291299</b>	Date of mailing (day/month/year) <b>10-11-2005</b>
International application No. <b>PCT/IB2005/002034</b>	International filing date (day/month/year) <b>24-06-2005</b>
Applicant <b>Nokia Corporation et al</b>	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.  

**Filing of amendments and statement under Article 19:**  
 The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):  
     When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the international search report.  
     Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes  
             1211 Geneva 20, Switzerland, Facsimile No.: + 41 22 338 82 70  
     For more detailed instructions, see notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
 

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.  
☐ no decision has been made yet on the protest: the applicant will be notified as soon as a decision is made.
4. **Reminders**  
 Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.  
 The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.  
 Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.  
 In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.  
 See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. 08-667 72 88	Telex 17978 PATOREG-S	Authorized officer <div style="text-align: right; font-weight: bold;">Bibi Skripec</div> Telephone No. 08-782 25 00
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# PATENT COOPERATION TREATY

## PCT

### DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rule 13ter.1(c) and 39)

Applicant's or agent's file reference <b>42933/291299</b>	<b>IMPORTANT DECLARATION</b>	Date of mailing (day/month/year) <b>10-11-2005</b>
International application No. <b>IB2005/002034</b>	International filing date (day/month/year) <b>24-06-2005</b>	(Earliest) Priority Date (day/month/year) <b>28-06-2004</b>
International Patent Classification (IPC) or both national classification and IPC <b>G06F 17/60</b>		
Applicant <b>NOKIA CORPORATION et al</b>		

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established** on the international application for the reasons indicated below.

1. ☐ The subject matter of the international application relates to:
  - a. ☐ scientific theories.
  - b. ☐ mathematical theories.
  - c. ☐ plant varieties.
  - d. ☐ animal varieties.
  - e. ☐ essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
  - f. ☐ schemes, rules or methods of doing business.
  - g. ☐ schemes, rules or methods of performing purely mental acts.
  - h. ☐ schemes, rules or methods of playing games.
  - i. ☐ methods for treatment of the human body by surgery or therapy.
  - j. ☐ methods for treatment of the animal body by surgery or therapy.
  - k. ☐ diagnostic methods practised on the human or animal body.
  - l. ☒ mere presentations of information.
  - m. ☐ computer programs for which this International Searching Authority is not equipped to search prior art.
2. ☐ The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:
 

☐ the description
 ☐ the claims
 ☐ the drawings
3. ☐ A meaningful search could not be carried out without the sequence listing; the applicant did not, within the prescribed time limit:
 

☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.

☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).
4. ☐ A meaningful search could not be carried out without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.

5. Further comments: **Se Supplemental Box**

Patent- och registreringsverket Box 5055 S- 102 42 Stockholm Tel: + 46 8 782 25 00 Fax: + 46 8 666 02 86	Authorized officer  <b>Patrik Rydman/MP</b> Telephone no.
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**DECLARATION OF NON-ESTABLISHMENT  
OF INTERNATIONAL SEARCH REPORT**

International application No.  
IB2005/002034

The claims relate to subject matter for which no search is required according to Rule 39 PCT. Given that the claims are formulated in terms of such subject matter or merely specify commonplace features relating to its technological implementation, the search examiner could not establish any technical problem which might potentially have required an inventive step to overcome. Hence it was not possible to carry out a meaningful search into the state of the art (Art. 17(2)(a)(i) and (ii) PCT).

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be subject of an international preliminary examination (Rule 66.1 (e) PCT). The applicant is advised that the policy of International Preliminary Examining Authorities is not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following the receipt of the "Declaration of non-establishment..." or during any Chapter II procedure. If the application proceeds into the national/regional phase before a national/regional office, the applicant is reminded that a search may be carried out during examination of the national/regional office, should the problems which led to the Article 17(2) declaration be overcome.

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street,  
Suite 4000  
Charlotte, NC 28280-4000  
USA

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing  
(day/month/year) **10-11-2005**

Applicant's or agent's file reference  
**42933/291299**

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/IB2005/002034**

International filing date (day/month/year)  
**24-06-2005**

Priority date (day/month/year)  
**28-06-2004**

International Patent Classification (IPC) or both national classification and IPC  
**G06F 17/60**

Applicant  
**Nokia Corporation et al**

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☐ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further opinions, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the ISA/SE  
Patent- och registreringsverket  
Box 5055  
S-102 42 STOCKHOLM  
Facsimile No. +46 8 667 72 88

Authorized officer

**Patrik Rydman/MP**

Telephone No. +46 8 782 25 00

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/IB2005/002034

**Box No. I      Basis of this opinion**

1. With regard to the **language**, this opinion has been established on the basis of:
  - ☒ the international application in the language in which it was filed
  - ☐ a translation of the international application into \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material
    - ☐ a sequence listing
    - ☐ table(s) related to the sequence listing
  - b. format of material
    - ☐ on paper
    - ☐ in electronic form
  - c. time of filing/furnishing
    - ☐ contained in the international application as filed.
    - ☐ filed together with the international application in electronic form.
    - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/IB2005/002034

**Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The question whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of

☒ the entire international application

☐ claims Nos. \_\_\_\_\_

because:

☐ the said international application, or the said claims Nos. \_\_\_\_\_  
relate to the following subject matter which does not require an international search (*specify*):

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. \_\_\_\_\_  
are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. \_\_\_\_\_ are so inadequately supported  
by the description that no meaningful opinion could be formed (*specify*):

- ☒ no international search report has been established for said claims Nos. 1-33
- ☐ a meaningful opinion could not be formed without the sequence listing; the applicant did not, within the prescribed time limit:
- ☐ furnish a sequence listing on paper complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
  - ☐ furnish a sequence listing in electronic form complying with the standard provided for in Annex C of the Administrative Instructions, and such listing was not available to the International Searching Authority in a form and manner acceptable to it.
  - ☐ pay the required late furnishing fee for the furnishing of a sequence listing in response to an invitation under Rule 13ter.1(a) or (b).
- ☐ a meaningful opinion could not be formed without the tables related to the sequence listings; the applicant did not, within the prescribed time limit, furnish such tables in electronic form complying with the technical requirements provided for in Annex C-bis of the Administrative Instructions, and such tables were not available to the International Searching Authority in a form and manner acceptable to it.
- ☐ the tables related to the nucleotide and/or amino acid sequence listing, if in electronic form only, do not comply with the technical requirements provided for in the Annex C-bis of the Administrative Instructions.
- ☐ See Supplemental Box for further details.